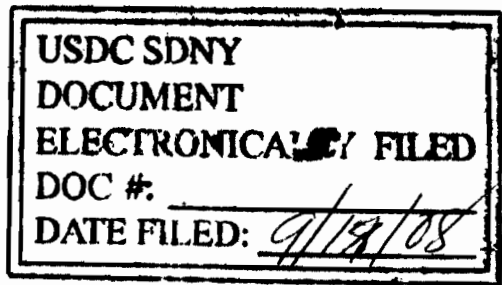


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
IN RE METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION
----- X

This document relates to:

*Town of East Hampton (CT) v. Amerada Hess
Corporation, et al.*, Case No. 04-CV-1720
----- X



Master File No. 1:00-1898
MDL 1358 (SAS), M21-88

**ORDER OF DISMISSAL WITH
PREJUDICE**

The Plaintiff and those Settling Defendants that are parties in this action as set forth on the attached Exhibit A have advised the Court that they have resolved the matters between them pursuant to the Settlement Agreement¹, and Plaintiff has now moved without opposition for the entry of this agreed upon dismissal of all claims of any kind pending against the Settling

Defendants with prejudice. The Court finds that the motion for dismissal of Settling Defendants with prejudice from this action should be granted and that:


IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiff and Settling Defendants have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a release.
2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of Settling Defendants only from this action.

¹ The Settlement Agreement dated as of March 12, 2008 ("Settlement Agreement") was filed with this Court on May 7, 2008 in connection with a motion for good faith determination under California and Illinois law in certain other cases. This motion was granted and a judgment entered. *See* Amended Opinion and Order at 2008 WL 2944653 (July 30, 2008). The term "Settling Defendants" used herein is as defined in the Settlement Agreement.

3. No other parties have objected to the dismissal of the above entitled action with prejudice as to the Settling Defendants only.
4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind, is hereby dismissed with prejudice only as to those Settling Defendants that have been named or have appeared in the above captioned action, including those identified on the attached Exhibit A, with each party to bear its own costs and attorneys' fees.

ENTERED this 17 day of September, 2008:



Honorable Shira A. Scheindlin

EXHIBIT A

The Settling Defendants below are named defendants in the case of *Town of East Hampton (CT) v. Amerada Hess Corporation, et al.*, Case No. 04-CV-1720 and are listed as they appear in the caption of Plaintiffs' complaint (even if erroneously identified or no longer in existence).

1. Amerada Hess Corporation
2. Atlantic Richfield Company, individually and Doing Business as ARCO Products Company (f/k/a ARCO Petroleum Co.) and also known as ARCO
3. BP Products North America, Inc., individually and as successor-by-merger to Amoco Oil Company and BP Exploration and Oil Inc., successor-by-merger to BP North America, Inc.
4. ChevronTexaco Corporation, individually and as successor-in-interest to Chevron Corp. and as successor-in-interest to Texaco Inc.
5. Chevron USA, Inc., individually and formerly known as Gulf Oil Corp. (d/b/a Chevron Products Company, d/b/a Chevron Chemical Company)
6. CITGO Petroleum Corporation
7. CITGO Refining and Chemical Company, LP
8. Coastal Eagle Point Oil Company
9. Coastal Oil New England
10. Colorado Refining Company
11. ConocoPhillips Company ,(f/k/a Phillips Petroleum Company, individually and as successor in interest to Tosco Corporation and d/b/a Phillips 66 Company)
12. El Paso Merchant Energy-Petroleum Company, individually and formerly known as Coastal Refining and Marketing, Inc. and formerly known as Coastal States Trading, Inc.
13. Equilon Enterprises, LLC, individually and also known as Shell Oil Products US
14. Lyondell-CITGO Refining, LP
15. Motiva Enterprises, LLC (individually and f/k/a Star Enterprises, LLC)
16. PDV Midwest Refining, LLC
17. The Premcor Refining Group Inc., individually and formerly known as Clark Refining
18. Shell Oil Company
19. Shell Oil Products Company
20. Shell Oil Products Company, LLC
21. Shell Petroleum, Inc.
22. Shell Trading (US) Company, individually and formerly known as Equiva Trading Company, and also known as STUSCO
23. Sunoco, Inc., individually and formerly known as Sun Oil Company, and formerly known as Sun Company, Inc.
24. Sunoco, Inc. (R&M), individually and formerly known as Sun Refining and Marketing Company and formerly known as Sun Company, Inc. (R&M)
25. Texaco Inc.
26. Texaco Refining and Marketing Inc.
27. Texaco Refining and Marketing (East) Inc.
28. TMR Company f/k/a/ Texaco Refining and Marketing Inc. individually and as successor-by-merger to TRME Company, f/k/a Texaco Refining and Marketing (East) Inc.
29. Tosco Corporation, individually and also known as Tosco Refining Company, and also known as Tosco Marketing Company

30. TPI Petroleum, Inc.
31. Union Oil Company of California d/b/a Unocal
32. Unocal Corporation individually and f/k/a Union Oil Company of California
33. Valero Energy Corporation
34. Valero Marketing and Supply Company
35. Valero Refining Company
36. Valero Refining and Marketing Company